

Minutes of a Regular Meeting

Approved 8/3/06

Town of Los Altos Hills PLANNING COMMISSION

THURSDAY, July 20, 2006, 7:00 p.m.
Council Chambers, 26379 Fremont Road
cc: Cassettes (1) #8-06

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

The regular meeting of the Planning Commission was called to order at 7:00 p.m. in the Council Chambers at Town Hall.

Present: Chairman Cottrell, Commissioners Carey, Clow, Collins & Harpootlian

Staff: Debbie Pedro, Planning Director; Brian Froelich, Assistant Planner; Victoria Ortland, Planning Secretary

2. RE-ORGANIZATION OF THE PLANNING COMMISSION

The Commission presented former Planning Commissioner, William Kerns, with a gift for his service and contribution to the Commission for the past four years.

MOTION SECONDED AND PASSED BY CONSENSUS: Motion by Chairman Cottrell, seconded by Commissioner Clow and passed by consensus to nominate Commissioner Ray Collins as Chairman for a one year term.

Chairman Collins introduced and welcomed the new Planning Commissioner, John Harpootlian.

MOTION SECONDED AND PASSED BY CONSENSUS: Motion by Commissioner Clow, seconded by Commissioner Cottrell and passed by consensus to nominate Commissioner Bart Carey as Vice-Chairman for a one year term.

3. PRESENTATIONS FROM THE FLOOR-none

4. PUBLIC HEARINGS

- 4.1 LANDS OF LOS ALTOS HILLS (WESTWIND BARN), 27210 Altamont Road (121-06-ZP-SD-CUP); T-Mobile USA requests a Conditional Use Permit for collocation of a wireless communications facility consisting of three (3) panel antennas mounted at 48 feet above ground level on the approved 65' monopine (Verizon Wireless) at the Westwind Barn site. The proposed ground equipment would be located in the approved wireless equipment enclosure. CEQA Review: exempt per 15301 Class 1 (a). (staff-Brian Froelich)

Brian Froelich, Assistant Planner, presented the staff report stating that in November 2005 the City Council voted unanimously to approve a 65 foot tall Verizon Wireless tree pole and ground equipment on the south side of Westwind Barn. The Conditions of Approval required Verizon to secure a company within twelve months to collocate at the site. T-Mobile had applied to collocate on the pole and a Conditional Use Permit was required. T-Mobile requested three panel antennas at 48 feet above grade. Verizon had been previously approved for two sets of three way antennas at 58 and 63 feet above grade. The City Council approved the Conditions of Approval and directed staff to work with Verizon to lower the profile of the equipment enclosure. The building plans for the Verizon application had been submitted on July 20, 2006 and included an enclosure with split-face concrete on three sides and a board on board fence on the west side facing the barn. The profile of the equipment enclosure was reduced from 13 feet to 6 feet high. The Verizon application was required to provide a landscape plan. Staff had recommended for T-Mobile a landscaping in-lieu fee of \$12,000. An additional Condition of Approval had been requested for the removal of a tree stump and replacement with a 36 inch box evergreen tree on the south side of the barn where the tree pole will be placed.

Commissioner Clow stepped down from the hearing due to the proximity of his residence to the project site.

Commission Carey asked for clarification on the Condition of Approval request for the landscape in lieu fee for T-Mobile instead of Verizon.

Debbie Pedro, Planning Director, explained that landscaping had been required in the Verizon application and the landscape in lieu fee was being requested of T-Mobile because of the increase in size of the equipment enclosure and the need for additional screening.

Commissioner Harpootlian asked if any other cell requests were anticipated for the Westwind Barn area. Brian Froelich replied to the negative. Debbie Pedro explained that in working with Cingular on other cell applications, Cingular's three to five year master plan did not identify Westwind Barn as a potential site. No other carriers have contacted the Town at this time about this area. Commissioner Harpootlian confirmed with staff that the tree pole would be at capacity with T-Mobile's addition.

Chad Abbot, representative for T-Mobile, thanked the Commission for its time, complimented staff on the good job done summarizing the proposal and offered to answer questions.

Commissioner Harpootlian questioned the possibility of audible high frequency emissions caused by the antenna that might be disturbing to the horses stabled at Westwind Barn. Mr. Abbot was not aware of any effect on horses from the frequencies from the antenna. He stated that on a standard site the decibel range was in the high 40's but he did not know about the frequency. Commissioner Harpootlian asked whether the frequency spectrum was available. A noise study had not been done for the project and Mr. Abbot offered to have a study done if deemed necessary.

Commissioner Carey asked about requirements to collocate more than two carriers on a pole. Mr. Abbot replied it is a function of height and the Westwind Barn tree pole is considered a

somewhat low pole. He stated that Verizon's and T-Mobile's technologies are different and Verizon needed six antennas and T-Mobile needed three antennas.

OPENED PUBLIC HEARING

Jean Mordo, Vogue Court, stated there is a possibility to have more service providers on the same pole without having more antennas as long as they use the same technology.

Sandra Humpries, Environmental Design Committee, stated that the noise from equipment enclosures can be excessive depending on the equipment inside. She requested that if the Westwind barn equipment was loud the enclosure should be double reinforced on all four sides or at least meet the Town's requirement for noise.

Commissioner Harpootlian asked about the regulations for noise, where the decibel measurement is taken and the distance of the equipment shed from the barn. He questioned whether people on the Westwind property were protected from the noise.

Debbie Pedro clarified that on public property the decibel measurement is made 50 feet from the source or the private property line whichever is closer. Noise levels are required not to exceed the 40 decibel level at 50 feet.

Brian Froelich replied that the barn is 46 feet from the property line and the closest wall of the equipment enclosure would be 26 feet from the barn.

Jitze Couperus, Page Mill Road, commented the noise ordinance references the amplitude and decibels of noise and not the frequency of noise. Horses and dogs can hear higher frequencies than humans and such noise can be painful to them. He suggested a spectral analysis of the noise to determine the frequency involved.

Eric Clow, Central Drive, stated that the Horseman's Association recently had four horses near the equipment enclosure by the Council Chambers and the horses appeared to be fine. He felt that if the new equipment enclosure at the barn was equivalent to the one by Council Chambers the noise probably wasn't detectible by the horses.

Duffy Price, Anacapa Drive, questioned if the fire truck turn-around area was sufficient.

Brian Froelich, Assistant Planner, explained that the Fire Department had reviewed the plan when submitted by Verizon and there is no narrowing of passage.

Chad Abbot, representative for T-Mobile, stated that he wished that more antennas could be shared. The high 40's decibel noise range mentioned earlier was measured next to the equipment and again offered to conduct a noise study.

Commissioner Carey asked Mr. Abbot to clarify that any noise would come from the equipment in the enclosure and not from what was mounted on the tower. Mr. Abbot explained that in past

installations some generators were needed for emergencies but the equipment at Westwind Barn had a battery backup built in.

Discussion ensued and it was determined that only essential electrical equipment would be in the equipment enclosure. No generators or large fans would be installed in the enclosure at Westwind Barn.

CLOSED PUBLIC HEARING

Commissioner Cottrell supported the project and stated that when the original application was approved it was expected that another company would collocate on the site. The applicant had met all the requirements and, in terms of the noise, a noise ordinance exists. The ordinance did not make provision for spectra and until it does the ordinance can only be honored as it is. There does not seem to be a source of great noise in the installation.

Commissioner Carey was in favor of approving the application and thought the noise issue can only be addressed by the design of the equipment shed. It might be made more soundproof by adding a stronger wall on the one side.

Commissioner Harpootlian stated the noise ordinance does a poor job of addressing this kind of a structure and might be considered at another time. He did not know if a horse might be bothered by the noise or how to protect them from it. He had concerns about the remaining trees and the replacement tree for the stump. He wanted an additional requirement for noise reduction and decibel measurement taken at the edge of the barn instead of 50 feet.

Chairman Collins supported the project and requested solid walls on all sides for noise with an opening to access the equipment because of the uncertainty of the effect on the horses. She saw no reason to request a noise report when it was not required of Verizon.

MOTION SECONDED AND PASSED: Motion by Commissioner Carey and seconded by Commissioner Harpootlian to forward a recommendation that the City Council approve the request for a site development permit and Conditional Use Permit subject to the recommended conditions and findings of approval in Attachments 1 and 2 with the additional Conditions 3a and 3b in regard to landscaping in-lieu fee and the removal of pine tree stump and recommendation for staff to work with Verizon and T-Mobile to reduce the noise from the equipment enclosure and examine the possibility of enclosing all four sides.

AYES: Chairman Collins, Commissioners Carey, Cottrell & Harpootlian

NOES: None

ABSTAIN: Commissioner Clow (stepped down)

This item will be scheduled for a future City Council meeting.

5. OLD BUSINESS-none

6. NEW BUSINESS-none

7. REPORT FROM THE CITY COUNCIL MEETING

- 7.1 Planning Commission Representative for June 8th -Commissioner Cary
- 7.2 Planning Commission Representative for June 22nd -Commissioner Kerns
- 7.3 Planning Commission Representative for July 13th -Commissioner-Collins

Commissioner Clow attended the July 13, 2006 meeting and reported on the introduction of the Eucalyptus Ordinance. City Council waived the reading and forwarded the ordinance to the next city council meeting for adoption.

- 7.4 Planning Commission Representative for July 27th -Commissioner Clow

8. APPROVAL OF MINUTES

- 8.1 Approval of May 4, 2006 minutes

MOTION SECONDED AND APPROVED BY THE FOLLOWING VOICE VOTE: Motion by Commissioner Cottrell, seconded by Commissioner Clow to approve the May 4, 2006 minutes as presented.

AYES: Chairman Collins, Commissioners Carey, Clow & Cottrell
NOES: None
ABSTAIN: Commissioner Harpootlian

- 8.2 Approval of June 1, 2006 minutes

MOTION SECONDED AND APPROVED BY THE FOLLOWING VOICE VOTE: Motion by Commissioner Cottrell, seconded by Commissioner Clow to approve the June 1, 2006 minutes as presented.

AYES: Chairman Collins, Commissioners Carey, Clow & Cottrell
NOES: None
ABSTAIN: Commissioner Harpootlian

9. REPORT FROM FAST TRACK MEETING-JUNE 6, JUNE 20, JUNE 27 AND JULY 11, 2006

- 9.1 LANDS OF LIZAUR AND WILSON, 11571 AND 11471 BUENA VISTA DRIVE (96-06-LLA); A request for a Lot Line Adjustment. (staff-Debbie Pedro).
- 9.2 LANDS OF PARVARANDEH, 27210 Ohlone Lane (155-04-ZP-SD) A request for a Site Development Permit for a 873 sq. ft. addition, a 1,000 sq. ft. attached secondary dwelling unit (maximum height 27' feet), and sports court. CEQA review: Categorical Exemption (staff-Debbie Pedro).

- 9.3 LANDS OF STROBER, 14355 Miranda Way (23-06-ZP-SD-GD) A request for a Site Development Permit for a 4,976 square foot two-story new residence with a 1,553 square foot basement (maximum height 24'8") and a 541 sq. ft. swimming pool. CEQA review: Categorical Exemption (staff-Debbie Pedro).
 - 9.4 LANDS OF CHAN AND HUA, 13198 La Cresta Drive (128-05-ZP-SD-GD) A request for a Site Development Permit for a new two-story residence with a basement and a new driveway. The project totals 4,957 square feet of floor area and has a maximum height of 27 feet. CEQA status: exempt per 15303 (a) (staff-Brian Froelich).
 - 9.5 LANDS OF BOYNTON, 25045 Oneonta Drive (18-06-ZP-SD-GD) A request for a Site Development Permit for a new 4,608 square foot two-story residence (maximum height 27 feet). The proposal includes a 1,716 square foot basement, and a new driveway. (staff-Brian Froelich). CEQA Status; exempt per 15303 (a).
10. REPORT FROM SITE DEVELOPMENT MEETING- JULY 5 AND JULY 11, 2006
- 10.1 LANDS OF SOMA, 12040 Moody Springs Court (43-06-ZP-SD); A request for a Site Development Permit for a Landscape Screening Plan. (staff-Debbie Pedro).
 - 10.2 LANDS OF IVESTER, 12005 Finn Lane (103-06-ZP-SD); A request for a Site Development Permit for a 836 sq. ft. Swimming Pool and Spa. CEQA Review: exempt per 15303 (e) (staff-Debbie Pedro).
 - 10.3 LANDS OF MAHONEY, 12139 Foothill Lane (102-06-ZP-SD); A request for a Site Development Permit for a landscape screening plan of the new 5,373 square foot residence approved in September 2005. (staff-Brian Froelich).

Commissioner Harpootlian requested current information on solar installations in Town.

Chairman Collins suggested a quarterly summary be compiled and presented to the Planning Commission.

Debbie Pedro, Planning Director, reported that as of July 1, 2006 a tracking system for solar installation building permits and site development permits had been implemented as directed by City Council to determine the extent of bonus area and exemption use or title 24 requirements.

Sandra Humphries, Environmental Design Committee, asked about the legal requirements for recording City Council meetings, Planning Commission meetings and Fast Track Hearings.

Commissioner Harpootlian asked for clarification on the Fast Track Hearing appeal process.

ADJOURNMENT

The meeting was adjourned by consensus at 8:55 p.m.

Respectfully submitted,

Victoria Ortland
Planning Secretary